

Justice Committee Meeting Minutes

The Justice Committee of the McLean County Board met on Monday, October 22, 2001 at 5:15 p.m. in Room 700 of the McLean County Law and Justice Center, 104 W. Front Street, Bloomington, Illinois.

Members Present: Chairman Sommer, Members Emmett, Renner, Kinzinger and Johnson

Members Absent: Member Pokorney

Staff Present: Mr. John Zeunik, County Administrator; Mr. Terry Lindberg, Assistant County Administrator; Mrs. Carmen I. Zielinski, County Administrator's Office

Department Heads/
Elected Officials

Present: Ms. Sandy Parker, Circuit Clerk; Ms. Phyllis Nelson, Chief Deputy Circuit Clerk; Mr. Charles Reynard, State's Attorney; Mr. Todd Miller, IV-D Assistant State's Attorney

Chairman Sommer called the meeting to order at 5:18 p.m.

Mr. Zeunik stated that the Circuit Clerk's Office has five separate budgets for discussion tonight. Mr. Zeunik addressed the Fiscal Year 2002 Recommended Budget for the Circuit Clerk, General Fund 0001-0015. The Recommended Fiscal Year 2002 Budget totals \$2,126,626.00 in revenue, which represents a 2.08% increase from Fiscal Year 2001. Expenses total \$1,625,633.00, which represents an increase of 4.84%. The Traffic\Criminal Fines revenue line item has been decreased from \$615,470 in the Fiscal Year 2001 Adopted Budget to \$615,000 in the Fiscal Year 2002 Recommended Budget. The decrease is based on a review of the year to date revenue. The Fiscal Year 2000 actual revenue reflects the transition period when the Circuit Clerk's Office was implementing the Integrated Justice Information System (IJIS) criminal case management module. The County Fines revenue line item has increased from \$856,000 in the Fiscal Year 2001 Adopted Budget to \$887,500 in the Fiscal Year 2002 Recommended Budget. This increase is based on a review of the year to date revenue. The Fiscal Year 2000 actual revenue is understated, because of the transition period when the Circuit Clerk's Office was implementing the IJIS criminal case management module.

The Transfer from Other Funds revenue line item account has been increased from \$13,246 in the Fiscal Year 2001 Adopted Budget to \$51,626 in the Fiscal Year 2002 Recommended Budget. This increase is to fund a new position of Office Support Specialist I in the Circuit Clerk's Office. A transfer from the Circuit Clerk's Court Document Storage Fund will fund this position. This position was requested in order to address the increase on the workload. This position changes the Full-Time Equivalent Staffing level (FTE's) from 53.35 FTE's to 54.35 FTE's. Mr. Zeunik stated that under the

category Contractual Services: the Equipment Maintenance Contract line item account has been increased from \$4,750 to \$5,500 in the Fiscal Year 2002 Recommended Budget. The increase covers the cost of the annual maintenance contract on the four photocopiers in the Circuit Clerk's Office and the maintenance on the telephones.

Mr. Zeunik asked Ms. Parker to explain under the Trauma Fee Administration Charge, the breakdown between the Circuit Clerk's Office and the total collected. Ms. Phyllis Nelson, Chief Deputy Circuit Clerk, stated that the Circuit Clerk's Office keeps 2.5% of the total amount collected for administering the fee, the balance goes to the state. Mr. Zeunik asked what type of cases this fee. Ms. Nelson noted that primarily \$5.00 gets deducted from the \$30.00 fee charged to Traffic Section 11, Driving Under the Influence (DUIs). Ms. Nelson was not sure what the fee is for criminal cases but the majority of the revenue is generated from the traffic citations.

Chairman Sommer commented on Postage 630.0001. This line item was decreased for the Fiscal Year 2002 Recommended Budget. Chairman Sommer asked if the Circuit Clerk's Office has taken into account the possibility of a postage increase from the Post Office in 2002. Mr. Zeunik clarified that the amount of the line item was based on a review of last year's actual expenses and the year to date expenses. Ms. Nelson explained that when they were looking at line items that could be decreased in order to help balance the budget, the postage line item looked like an account that could be decreased by a small amount with the consideration of a postage rate increase in 2002. Mr. Zeunik stated that the Postal Service Rate Commission was considering an increase for the last quarter of 2002.

Motion by Renner/Kinzinger to tentatively recommend approval of the Fiscal Year 2002 Recommended Budget for Circuit Clerk General Fund 0140-0015.

Mr. Pokorney asked about the line item, Occasional\Seasonal Salaries, Current year expenses are \$13,000 with over $\frac{3}{4}$ of the year but \$58,000 was originally budgeted. Ms. Parker explained that the possibility existed that this line item was used to pay for the Interns salary during the IJIS data load. This project is now completed. Ms. Nelson stated that one of the positions in the civil division has been vacant for most of the year, except for the summer, when a college student came in daily to work. Ms. Nelson stated that discussion has occurred to move this part-time position to another area. Mr. Pokorney noted that last year's actual expenses were \$28,000 and currently it is at \$13,000. Mr. Pokorney asked why was \$60,000 being budgeted. Ms. Parker stated that the vacant position is employed for three months during the summer. Ms. Parker commented that the Circuit Clerk's Office was requesting an additional position in the Criminal Division and that request was not approved. The alternative is to transfer the

part-time position from the Civil Division to the Criminal Division and finding someone who can come in three days a week, every week versus using someone all summer. Mr. Pokorney wondered if that transferred position would be funded through another budget line item. Mr. Zeunik explained that within the Recommended Budget, the personnel are split into three programs. One is Administration, one is Criminal Division and the other is Civil Division. The Circuit Clerk would like to take the money that was budgeted under part-time employees and create a part-time position that would work three days a week in the Criminal Division. In the budget request, Ms. Parker had asked for additional personnel for the Criminal Division of the Circuit Clerk's Office, but due to the budget constraints, this request could not be fulfilled.

Chairman Sommer noted that the Occasional Seasonal category reflected a 6% increase. Chairman Sommer asked Mr. Lindberg if the 6% increase was consistent with the part-time or occasional seasonal salary line item. Mr. Lindberg stated that the breakdown is correct.

Chairman Sommer noted that the problem is that the budgeted amounts do not clearly describe what is actually happening within the department. Ms. Nelson explained that part of the increase could be associated with the compensation study where the hourly rate was increased from prior years. Instead of being paid \$4.00 per hour, the Occasional\Seasonal employees are now paid \$10.00. Mr. Zeunik stated that this increase is reflected in the 2002 budget. In the Fiscal Year 2001 Budget, when it jumped from \$39,200 to \$58,400, there was not an increase in the total complement of part-time employees. Fiscal Year 2001 was the first year that the salary study was implemented for the entire year. The 2001 Adopted column shows the impact of the salary study on part-time and full-time positions. There was no significant addition of personnel between 2000 and 2001, yet the Circuit Clerk's full-time budget increased from \$860,000 to over a \$1,000,000,000 in 2001 due to the salary study.

Mr. Emmett commented that if budgeted money is not needed in a certain line item why can't the money be placed in a line item that would use it to begin with. Mr. Zeunik explained that the budget being presented to the Committee is a consolidated budget that shows the total of the three programs for the Circuit Clerk's Office. The money is allocated at the program level and this printout does not show the programmatic details.

Chairman Sommer asked if there were any other questions. Hearing none, Chairman Sommer called for a vote on the prior motion

Motion carried.

Mr. Zeunik addressed the Fiscal Year 2002 Recommended Budget for the Circuit Clerk' Court Automation Fund, 0140-0015. The Recommended Fiscal Year 2002 Budget totals

\$240,347.00 in revenue, which represents a 24.11% increase. Total expenses are \$240,347.00. Mr. Zeunik noted that the Automation Fund was established pursuant to Illinois law. This Special Revenue Fund was established to assist the Circuit Court and the Circuit Clerk's Office to automate their respective offices. Through the collection of a Court Automation Fee, the Circuit Court and the Circuit Clerk's Office have funds available that can be used to purchase operating supplies, contract for services, purchase capital equipment and fund staff in Information Services. As a Special Revenue Fund, the fund must be balanced within the fund. The Automation Fee line item has been increased from \$180,00 to \$200,000 in the Fiscal Year 2002 Recommended Budget. The increase was based on a review and analysis of the year to date revenue, and the continuing increase in the number of cases filed in the Circuit Clerk's Office. Under the Contract Services line item, Mr. Zeunik noted, that the \$75,000 amount in the Fiscal Year 2001 Adopted Budget was decreased to \$60,000 in the Fiscal Year 2002 Recommended Budget. This line item account provides partial funding for the analysis and development of the Civil Case Management phase of the Integrated Justice Information System project that is expected to begin in Fiscal Year 2002. The 999.0001 Interfund Transfer line item has been increased from \$23,644 to \$64,671 in the Fiscal Year 2002 Recommended Budget. This line item covers the salary expense for 0.40 FTE in the Information Services Department. This line item account also includes 1.00 FTE salary expense and employee benefit expense for the Traffic Data Entry Team Leader in the Circuit Clerk's Office. This position was previously funded at a 0.50 FTE level.

Mr. Pokorney commented that under the area of revenue, the Automation Fee was increased from \$180,000 to \$200,000 in the Fiscal Year 2002 Recommended Budget. In Fund 0142, the budgeted amounts are exactly the same. Mr. Pokorney asked if this is correct. Mr. Zeunik explained that Fund 0142 refers to the Court Document Storage Fee. The Court Document Storage Fee is projected to increase by exactly the same amount as the Automation Fee. They are totally different fees that increase by the same exact amount. Ms. Nelson noted that the fee is \$5.00 on the Automation Fee and the Document Storage Fee. So, if one fee is charged, the other fee is automatically charged also. Since the fees increase is based on caseload, the two funds are projected to increase by the same amount.

Motion by Pokorney/Renner to tentatively recommend approval of the Fiscal Year 2002 Recommended Budget for the Circuit Clerk's Court Automation Fund 0140-0015. Motion carried.

Mr. Zeunik addressed the Fiscal Year 2002 Recommended Budget for the Circuit Clerk's, Court Document Storage Fund, 0142-0015. The Recommended Fiscal Year 2002 Budget totals \$201,736.00 in revenue, which represents a 12.08% increase. This fund was

established pursuant to Illinois law. This Special Revenue Fund assists the Circuit Clerk's Office to maintain and store Court records and documents. Through the collection of a Justice Committee Meeting Minutes
October 22, 2001
Page Five

Court Document Storage Fee, the Circuit Clerk's Office has funds available which can be used to purchase operating supplies, contract for services, purchase capital equipment and reimburse expenses incurred by the Records Management staff of the Information Services Department. As a Special Revenue Fund, the fund must be balanced within the Fund.

Mr. Zeunik noted that under Contractual, 706.0001 Contract Services, the line item has been increased from \$55,000 to \$65,000 in the Fiscal Year 2002 Recommended Budget in order to cover the cost of using outside vendors that provide microfilming services. The 999.0001 Interfund Transfer, as mentioned before, reflects the increase in staff in the Circuit Clerk's General Fund for an Office Support Specialist I.

Motion by Renner/Kinzinger to recommend tentative approval of the Fiscal Year 2002 Recommended Budget for the Circuit Clerk's Court Document Storage Fund 0142-0015. Motion carried.

Mr. Zeunik addressed the Fiscal Year 2002 Recommended Budget for the Circuit Clerk, Child Support Collection Fund, 0143-0015. The Recommended Fiscal Year 2002 Budget is \$54,500.00 in revenue, which represents a 3.18% increase. Mr. Zeunik noted that the Child Support Collection Fund was established pursuant to Illinois law. This Special Revenue Fund was established to assist the Circuit Clerk's Office to collect and remit child support payments pursuant to the order of the Circuit Court. Through this fee, the Circuit Clerk's Office has funds available for payment of personnel expenses, purchase operating supplies, contract for services, and purchase capital equipment. As a Special Revenue Fund, the fund must be balanced within the Fund.

Mr. Zeunik noted that there are personnel budgeted in this fund. A 1.45 FTE's positions are budgeted. These positions handle and process the child support payments in the Circuit Clerk's Office. No significant changes are budgeted in the 600 or 700 line items in the Circuit Clerk's Office.

Mr. Zeunik informed the Committee that the State of Illinois may be taking charge of the child support program in the future. Ms. Parker explained that the Illinois Association of Court Clerks had a bill ready to introduce to pull the Circuit Clerks out of the child support programs. When the Child Support payments migrated to the State Disbursement Unit in 1999, there was a lot of chaos. The State has taken responsibility for most facets of the program, except for those individuals that were ordered to pay maintenance only and those individuals where the courts have ordered that they continue to make their child support payments through the Circuit Clerk's Office. The Department of Public Aid has fought the legislation, but it is a bill that the Clerk's

Association is pursuing. The House Committee is reviewing the child support collection program and the role that the Department of Public Aid should have with the program. Ms. Parker stated that part of the legislation calls for the Circuit Clerks to relinquish the Justice Committee Meeting Minutes

October 22, 2001

Page Six

\$36.00 fee collected. If this revenue is lost, there is a need to fund the positions that support this program. Presently, there are three positions that handle these duties. Ms. Nelson explained that, at the present time there is one full-time position and part of two positions. If these positions were lost, the Family Division would be non-existent. One of these positions is entirely paid under the IV-D Grant that will be discussed shortly. There is one plus a portion of two other employees that are covered through this fund. If this revenue is lost, there could be a huge budget impact.

Ms. Parker explained that the Family Division also handles divorce, family, adoption and juvenile cases. These cases have to be handled. The piece of this puzzle that would disappear is the processing of the payment checks. The rest of the work performed by the Family Division would continue and the Circuit Clerk's Office would provide. The General Fund would most likely have to pick up the funding for these positions.

Mr. Pokorney noted that under Full-Time Employees, last year's actual expense was \$9,000, current year expenses is \$16,700, the budget is for \$38,000, increasing the budget by 13%. Ms. Nelson explained that an employee covering the full-time position was promoted to Supervisor and is now being paid out of the General Fund. The vacant position was filled by an employee being paid under the General Fund when it should have been funded by the Child Support Fund. Ms. Nelson is not sure if the adjustment was corrected with the Treasurer's Office in order to move the expense from the General Fund to the Child Support Fund. Both positions are named Office Support Specialists II. Mr. Lindberg stated that both positions add up to \$26,500.00.

Motion by Renner/Pokorney to recommend tentative approval of the Fiscal Year 2002 Recommended Budget for the Circuit Clerk's Court Child Support Collection Fund 0143-0015. Motion carried.

Mr. Zeunik addressed the Fiscal Year 2002 Recommended Budget for the Circuit Clerk's IV-D, Child Support Enforcement Fund, 0156-0015. Mr. Zeunik asked the Committee to ignore the budget summary present in the Budget book and in the agenda because the information that was provided was prepared before the final contract with Public Aid for the IV-D Project was finalized. Mr. Zeunik distributed a handout that reflects the negotiations that occurred between the County and Public Aid. The County Administrator Approved column shows the approved Fiscal Year 2002 amount scheduled to be received from Public Aid of \$39,942.00. The second page of the handout displays the breakdown of the expenses of the \$39,942.00.

Ms. Parker explained that this is the grant from Public Aid that the County receives to further Child Support Enforcement in McLean County. Originally, the Circuit Clerk's Office

requested an additional FTE from Public Aid. When this project was started, there was only one position approved for the Circuit Clerk's Office. Ms. Parker explained that the Clerk's Office reached a level this year, of the need for additional staffing from Public Justice Committee Meeting Minutes

October 22, 2001

Page Seven

Aid. Public Aid has indicated that they do not have the financial resources to provide additional staff for the Circuit Clerk's Office. Public Aid informed Ms. Parker that if the Clerks receive any money, their funding would be 10% less than this year. This cut would occur whether you have a State's Attorney enforcement process or whether you are processed by the Attorney General. The Circuit Clerk's Office was placed in the position of either taking the offer with the 10% loss or doing the work without the revenue from the grant. Consequently, some budget cuts were needed in order to balance this fund. Fortunately, there was \$3,500 in the Furnishing and Equipment line item that was linked to the request for additional staffing, so the \$3,500 was deleted right off the top. The copy expense for the State's Attorney's Office was decreased and other small items were maneuvered in order to balance the budget.

Chairman Sommer summarized that the Circuit Clerk's Office was able to balance their revenue by reducing their expenditures. Mr. Pokorney commented that in the list of items cut or reduced in order to balance the budget, postage shows a zero balance. Ms. Parker stated that there should be a number in the postage column. Mr. Zeunik mentioned that maybe a coding error has occurred. Mr. Zeunik noted that, perhaps, the postage has been charged to the State's Attorney's Office. The State's Attorney's postage line item shows \$1,500 budgeted in 2000 and \$2,600 worth of expenses. In 2001, postage was budgeted for \$1,500 and to date they are at \$2,500. Ms. Parker noted that the Travel Expense line item shows zero, when there have been expenses charged to this line item.

Motion by Kinzinger/Emmett to recommend tentative approval of the Fiscal Year 2002 Recommended Budget the Circuit Clerk's IDPA IV-D Project Fund, 0156-0015. Motion carried.

Mr. Zeunik addressed the Fiscal Year 2002 Recommended Budget for the State's Attorney's Office, General 0001-0020. Total Revenue for the State's Attorney's General Fund is \$496,839.00, a 4.56% increase over the Fiscal Year 2001 Adopted Budget. Mr. Zeunik noted that a large part of the increase is found in the Illinois Criminal Justice Information Authority Grant line item. Mr. Zeunik noted that on the expense side, the Total Recommended Budget for Fiscal Year 2002 is \$1,911,813.00, representing a 0.79% increase over the Fiscal Year 2001 Adopted Budget. No changes are proposed in the FTE Staffing Level in the Fiscal Year 2002 Recommended Budget.

Mr. Zeunik commented on line item 726.0002 Expert Witness Expense that increased from \$17,200 to \$18,200 in the Fiscal Year 2002 Recommended Budget. This increase is based on last year's actual expenses and the year to date expenses.

Mr. Pokorney complimented Mr. Reynard for the small increase in his budget.

Justice Committee Meeting Minutes
October 22, 2001
Page Eight

Motion by Kinzinger/Renner to recommend tentative approval of the Fiscal Year 2002 Recommend Budget for the State's Attorney's Office - General 0001-0020. Motion carried.

Mr. Zeunik addressed the Fiscal Year 2002 Recommended Budget for the State's Attorney's Asset Forfeiture Fund 0152-0020. Mr. Zeunik noted that the State's Attorney Asset Forfeiture fund 0152 was established to account for the receipt of funds derived from the seizure and sale of assets used in the distribution and sale of drugs. The State's Attorney's Asset Forfeiture Fund is a Special Revenue Fund that must be balanced within the Fund. This fund is unchanged from the Fiscal Year 2001 Adopted Budget.

Mr. Zeunik stated that revenue line item 410.0097 Asset Forfeiture was increased from \$20,000 to \$100,000 in the Fiscal Year 2002 Recommended Budget. This increase reflects the decision of the Illinois State Police to increase their drug interdiction activities on the Interstate Highways. The 999.0001 Interfund Transfer is budgeted at \$80,000 to cover specific expenses in the State's Attorney's Office that are related to drug enforcement and prosecution efforts. Mr. Zeunik commented that the State Attorney transferred \$60,000 this year into the General Fund, per the request of the Justice Committee.

Mr. Emmett wondered if the Asset Forfeiture Fund may provide more revenue because the State Police will be interdicting more. Mr. Reynard stated that he is very optimistic with the future plans for this program.

Motion by Emmett/Pokorney to recommend tentative approval of the Fiscal Year 2002 Recommended Budget for the State's Attorney's Asset Forfeiture Fund 0152-0020. Motion carried.

Mr. Zeunik addressed the Fiscal Year 2002 Recommended Budget for the State's Attorney Office IDPA IV-D Project 0156-0020. Mr. Zeunik stated that the State's Attorney's IV-D Project Special Revenue Fund was established to account for the receipt of Illinois Department of Public Aid Grant Funding and the expenditures for the Child Support Enforcement Program in the State's Attorney's Office. Mr. Zeunik passed a handout with the approved final agreement negotiated between Public Aid and the State's Attorney's Office. Mr. Todd Miller joined the discussion to aid in the answer of any questions the Committee may have.

Mr. Reynard noted that negotiations with the Illinois Public Aid were difficult.

Mr. Reynard advised Public Aid that they had broken faith with the original vision of the program, that being to build a pilot program. There are three pilot programs in Illinois, Champaign, DuPage and McLean Counties. McLean County is the only County that has incorporated all of the elements of innovations in one pilot program. DuPage County has

Justice Committee Meeting Minutes
October 22, 2001
Page Nine

an expedited child support enforcement program, which means that they have a Hearing Officer. McLean County has that element also. Champaign County has a One-Stop Shop, where the Public Aid Department employees are housed with the attorneys. McLean County has this element as well. McLean County combined all of these elements and has achieved success. Mr. Reynard stated that the Public Aid Department is forfeiting some of the programs' vision. The commitment is to renew this issue next year. With the State's fiscal budget and the most recent proposed cut back occasioned by the September 11th event tragedy, it is very hard to argue for expanding programs when everyone is cutting back.

Motion by Pokorney/Renner to recommend tentatively approval of the Fiscal Year 2002 Recommended Budget for the State's Attorney's Office IDPA IV-D Project Fund 0156-0020.

Mr. Todd Miller commented that this program follows the State Fiscal Year, so this budget started July 2001. Mr. Zeunik clarified that this represents a one-year agreement. Mr. Miller noted that negotiations have been in place since before May 2001.

Mr. Reynard stated that the only consolation gained from the negotiations is the 10% Indirect Cost Compensation described in the contract.

Motion carried.

Mr. Zeunik reminded the Committee that the next regular Justice Committee meeting is scheduled for November 6, 2001. The only department budgets remaining for discussion are Court Services, Rescue Squad and MetCom. Mr. Zeunik suggested that Committee members attend the Joint City Councils – County Board Meeting scheduled for October 29th in order to be better informed on the MetComm budget.

There being nothing further to come before the Committee at this time, Chairman Sommer adjourned the meeting at 6:20 p.m.

Respectfully submitted,

Carmen I. Zielinski

Recording Secretary

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